

# PATENT COOPERATION TREATY

REC'D 30 MAR 2005

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From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/IB2005/050167

International filing date (day/month/year)  
14.01.2005

Priority date (day/month/year)  
23.01.2004

International Patent Classification (IPC) or both national classification and IPC  
H04L29/06, H04L12/56, H04L12/28

Applicant  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS GMBH

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2005/050167

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material:  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing:  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

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PCT/IB2005/050167

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**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	2-7
	No: Claims	1
Inventive step (IS)	Yes: Claims	
	No: Claims	1-7
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

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**Box No. VII Certain defects in the international application**

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The following defects in the form or contents of the international application have been noted:

**see separate sheet**

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

security association for en-/decryption.

- 3.4. Supported by the hint in D1 to "encrypt transmitted data based on physical location" (page 5, lines 7-8), an encryption based on the values of measured, predefined ambient parameters is the straightforward measure as D1 discloses determination of a physical location based on detected signal strengths (see, e.g., page 21, lines 1-10).
4. The additional features of the dependent claims do not add anything new or inventive to the independent claims because the features are either known from the above cited prior art (ambient parameters consist of optical signals, time-dynamic values, internal apparatus is access point) or are common measures (pre-exchanged public keys, ambient parameters consist of acoustic signals).

**Re Item VII**

**Certain defects in the international application**

1. The independent claims are not in the two-part form, Rule 6.3(b) PCT.
2. The relevant background art is not mentioned in the description, nor are these documents identified therein, Rule 5.1(a)(ii) PCT.

**Re Item VIII**

**Certain observations on the international application**

1. The application comprises two independent method claims having many features in common. Therefore, the application is not concise, Article 6 PCT.
2. Notwithstanding the clarity problems caused by "particularly", see below, the expression "in home networks" in claim 1 casts doubts as to whether protection is sought for a method of authentication for use in a home network or for a home network adapted to perform the method of authentication, Article 6 PCT.

This findings also applies to independent claim 2.

3. The term "particularly" in claim 1 is vague. It is not clear if the following feature should be comprised in the scope of protection or not, Article 6 PCT.

This is also valid for independent claim 2.

4. In claim 2, an antecedent definition for "the required configuration data" is missing, Article 6 PCT.